

FEDERAL BUREAU OF INVESTIGATION

Date 1/5/681

JOSEPH BARON was contacted and advised that he will probably be required to testify in Suffolk County Superior Court during the week of January 8, 1968, in connection with the gangland murder of ROCCO DI SEGLIO.

BARON said that he was ready to testify and hoped that good arrangements had been made for his protection; that there was no question that "the organization" would do everything possible to prevent him from testifying.

On 1/3/68 at Gloucester, Massachusetts File # Boston 92-1132
by SA's H. PAUL RICO and DENNIS M. CONDON
DMC:po'b 7 Date dictated 1/5/68

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FEDERAL BUREAU OF INVESTIGATION

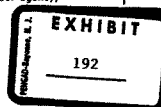
Date 1/18/681

JOSEPH BARON was contacted and he was advised that he would be called to give testimony in Suffolk County Superior Court, Boston, within the next few days relative to the gangland murder of ROCCO DI SEGILIO.

On 1/8/68 at Gloucester, Massachusetts File # Boston 92-1132

by SA's DENNIS M. CONDON and H. PAUL RICO Date dictated 1/12/68
DMD:p

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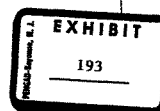


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BS 92-1132

On January 18, 1968, GENNARO J. ANGIULO, BENJAMIN ZINNA, MARINO LEPORE, and RICHARD DE VINCENT were found not guilty in a jury trial in Suffolk County Superior Court, Boston, Massachusetts, of the gangland murder of ROCCO DI SEGLIO on June 15, 1966.

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FEDERAL BUREAU OF INVESTIGATION

Date 2/6/681

JOSEPH BARON was contacted, and a check was made of his physical well being.

No matters of any pertinence were discussed with him.

On 1/25/68 at Gloucester, Massachusetts File # Boston 92-1132

by SA's DENNIS M. CONDON and H. PAUL RICO
DMC:HPR:po'b ²

Date dictated 1/31/68

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7/5/01 Boston Globe B.12001 WL 3940984

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The Boston Globe
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Thursday, July 5, 2001

Metro/Region

MOB LAWYER MAIMED IN '68 DIES
Andy Dabills, and Ralph Ranalli, Globe Staff

John E. Fitzgerald Jr., a former Everett lawyer who lost a leg but survived an underworld car bombing in 1968, died Tuesday in South Dakota, where he moved after the attempt on his life and became a noted judge. He was 69.

Mr. Fitzgerald died unexpectedly after heart surgery. He first came to Rapid City, S.D., in 1972 as a supervising lawyer following a flood there, and established a new life.

But in the 1960s, when Massachusetts was in the midst of gangland violence, Mr. Fitzgerald became a symbol of the brazenness of shootouts between warring underworld factions. His injury sparked outrage that an attack had been made on a lawyer.

Law enforcement officials said Mr. Fitzgerald was targeted for death because he was the lawyer for a famed Cosa Nostra soldier-turned-informer, Joseph Barboza Baron, who later was shot to death in San Francisco. Baron had been scheduled to testify in murder cases.

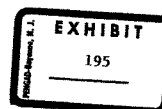
A former Army Ranger who carried two guns for protection, Mr. Fitzgerald was warned that he had been marked for death, but he later said he never suspected a car bomb.

The car belonged to Baron, who had an alarm installed and had given the vehicle to Mr. Fitzgerald to pay legal fees. The car, parked on an Everett street, exploded when he started it, tearing away his right leg below the knee. Authorities said two sticks of dynamite were used for the bomb.

The bespectacled Mr. Fitzgerald, who lived in Westwood but practiced in Everett, had made a reputation defending gangland figures. A \$50,000 reward was offered by law enforcement officials for information on the bombing.

But it wasn't until five years later that Frank Salemme, an associate of reputed gangland figure James "Whitey" Bulger, was convicted of planting the bomb in Mr. Fitzgerald's car.

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Law enforcement officials said Salemmme and an associate, Stephen "The Rifleman" Flemmi, who were then up-and-coming gangland enforcers, had planted the bomb to curry favor with the family of New England mob boss Raymond Patriarca.

Salemmme was convicted on the basis of testimony from another man, Robert Daddieco, who police said was also involved in the plot against Mr. Fitzgerald.

Flemmi is being held now on murder charges that he killed 10 people between 1974 and 1985, and a federal magistrate has ordered federal defenders to assign him a lawyer. The onetime FBI informant has been held without bail since January 1995 on other federal charges.

Salemmme, who was released from jail in the Fitzgerald bombing after 15 years, is serving an 11-year sentence for racketeering, but has argued his time should be reduced now because he said he was framed in the Fitzgerald case by a corrupt FBI agent he says persuaded a witness to lie.

After the bombing, Mr. Fitzgerald walked for a time with a cane, and then a prosthesis. One of his sons, Timothy, who lives in Rapid City, said yesterday that his father followed in the news the exploits of Salemmme, Flemmi, and the recent revelations that they had been involved with some FBI figures.

"He was disappointed in that," he said. But Timothy Fitzgerald said his father's survival gave him a chance for "a whole new life" after the family moved west.

"He was battle-scarred . . . but he was going strong right up until the end," his son said.

Mr. Fitzgerald was a presiding judge of the circuit court in Rapid City, fulfilling a lifelong ambition to be a judge, his son said. He had served in the Army from 1954-56, graduated from Boston University and the BU law school, and was also an adjunct professor of law at two universities in South Dakota.

In addition to his son, he leaves his wife, Laura; another son, Mark, of Nebraska; two daughters, Cara Beth Faulk of Alaska and Elyce of Rapid City; a stepson, Jack Gordon of Cincinnati; a stepdaughter, Deana Thompson, of Rapid City; and 12 grandchildren.

A funeral will be held tomorrow in Bethel Assembly of God Church

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in Rapid City. Burial will be in Black Hills National Cemetery.

TABULAR OR GRAPHIC MATERIAL SET FORTH IN THIS DOCUMENT IS NOT DISPLAYABLE

Caption: JOHN E. FITZGERALD JR. / Lawyer for gangland figures

--- INDEX REFERENCES ---

NAMED PERSON: FITZGERALD, JOHN; SALEMME, FRANK; FLEMMI, STEPHEN "THE RIFLEMAN"

ORGANIZATION: FEDERAL BUREAU OF INVESTIGATION

NEWS SUBJECT: English language content (ENGL)

NEWS CATEGORY: MET

REGION: United States - Washington; United States; North American Countries; Washington (State); North America; Pacific Rim; United States (USWA USA NAMZ WA NME PRM US)

EDITION: THIRD

LAYOUT CODES: (LCR)

Word Count: 678

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7/5/01 Boston Herald 0102001 WL 3805244

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Boston Herald
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Thursday, July 5, 2001

NEWS

Man dies 33 years after surviving Mob hit
Ed Hayward

Former Boston defense attorney John E. Fitzgerald Jr., who lost his right leg when a Mob bomb exploded beneath his car in a botched 1968 hit, died Tuesday in South Dakota after heart surgery.

The 69-year-old Roxbury native made a new life for himself and his family in South Dakota, where he practiced law and eventually was appointed presiding judge of the 7th Judicial Circuit.

Fitzgerald narrowly escaped death Jan. 30, 1968, when he left his Everett law office, climbed into his 1966 Pontiac and turned the key - detonating two sticks of dynamite that sent shards of metal through his body and chills through Boston's criminal defense attorneys.

Wary of a potential attack for months, the defense lawyer armed himself with two handguns. He said later he was not surprised by the assassination attempt - only the method of attack.

"I never expected a bomb," Fitzgerald said shortly after the blast. "When I turned the key, there was a blast. I thought, 'Oh, my God, they put a bomb in the car.'" His badly mangled right leg was amputated below the knee during six hours of surgery. Fitted later with a prosthetic foot and shin, he walked with barely a limp.

Fitzgerald, an Army veteran, will be buried tomorrow at the Black Hills National Cemetery in Sturgis, South Dakota, after services at the Bethel Assembly of God Church in Rapid City.

"Jack loved the law, loved his family and came to love life with a passion known only to those who are given a second shot at it, a chance to start anew," said his cousin, Joe Fitzgerald, a Herald columnist. "He was more than a cousin to me. He was a blessing to my life, my friend and my confidant and I will miss him dearly."

Fitzgerald practiced law in Massachusetts and South Dakota for 32 years, until he was appointed a circuit court judge in 1992 by South Dakota Gov. George Mickelson.

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At the time of the bombing, Fitzgerald had been in contact with FBI agents about "gangland activities." His client, Mafia hit man Joseph "The Animal" Barboza was testifying as a prosecution witness against former Hub La Cosa Nostra boss Genaro "Gerry" Angiulo and three other men on trial for a gangland slaying. Barboza also had testified against then-New England Mafia boss Raymond Patriarca.

Sources told the Herald years later the Mafia had put out a contract on Fitzgerald because he refused to intercede with Barboza on behalf of the underworld.

The Everett blast proved a frightening reminder of Mob violence that resonates today, with many of the players from that time in the news and in the courts.

Francis P. "Cadillac Frank" Salemme served 17 years in prison for his role in the bombing on Mansfield Street in Everett. Salemme, former boss of the local Mafia, is now serving a jail term for racketeering. Stephen "The Rifleman" Flemmi was also a prime suspect in the blast, but was never tried. Flemmi is in custody facing racketeering and murder charges.

Barboza emerged as the star witness at the trial of six men for the 1965 murder of Edward "Teddy" Deegan in Chelsea, in which Fitzgerald testified emotionally from his wheelchair. This year, one of the co-defendants, Peter Limone, was freed from prison after 32 years behind bars when the FBI found agency files that cast doubt on the guilt of the accused men.

Fitzgerald admitted to a fascination with the underworld as he built a career handling Mob cases, often meeting in bars and steakhouses popular with reputed hit men, thugs and bookies. He and his family relocated from Westwood to Colorado for their safety and, in 1972, Fitzgerald moved to South Dakota.

TABULAR OR GRAPHIC MATERIAL SET FORTH IN THIS DOCUMENT IS NOT DISPLAYABLE

Caption: FITZGERALD: Attorney was target of 1968 car bombing.

---- INDEX REFERENCES ----

NAMED PERSON: FITZGERALD, JOHN

NEWS SUBJECT: English language content (ENGL)

EDITION: ALL EDITIONS

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7/5/01 Boston Herald 0102001 WL 3805244

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Word Count: 618

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3/24/01 Boston Herald 0062001 WL 3796471

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Boston Herald
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Saturday, March 24, 2001

NEWS

Prosecutors rip Salemme claim of FBI frame job
J. M. LAWRENCE

Federal prosecutors yesterday scoffed at New England Mafia boss Francis P. "Cadillac Frank" Salemme's attempt to get out of prison based on new claims that the FBI framed him for the 1968 bombing of a Boston attorney's car.

"Tellingly, Salemme never claims that he is actually innocent of participating in the conspiracy to murder attorney (John) Fitzgerald," U.S. Attorney Donald K. Stern's office said in a motion filed yesterday with the court.

Salemme, 67, took a plea agreement in December 1999 in which he admitted to racketeering in connection with a conspiracy to murder Fitzgerald, the attorney for Mob turncoat Joseph "The Animal" Barboza in the 1960s.

The Jan. 30, 1968, explosion left Fitzgerald crippled.

Salemme and Stephen "The Rifleman" Flemmi were indicted for the crime based on information from witness Robert Daddieco.

Salemme served 17 years for the bombing while charges against Flemmi were later dropped.

Three decades later, revelations about Flemmi's role as a secret informant for the FBI cast new light on the case, according to Salemme's attorney, Anthony Cardinale.

Last month, Cardinale petitioned U.S. District Court Judge Mark L. Wolfe for "whatever relief he finds appropriate," claiming the government withheld information that might have helped Salemme's case.

New evidence will show the FBI manipulated Daddieco into framing Salemme, Cardinale has said.

He argues the case has parallels with the infamous 1965 Edward

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3/24/01 Boston Herald 0062001 WL 3796471

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"Teddy" Deegan murder case, in which a state judge this year ruled the FBI withheld evidence that might have exonerated four men. The four were convicted and given life sentences.

Prosecutors, however, contend Salemme's defense "was aware of the various issues surrounding Robert Daddieco at the time Salemme pled guilty."

A judge should throw out the Mob boss' petition without so much as a hearing, prosecutors argued.

"The habeas petition should be rejected without an evidentiary hearing because the allegations in Salemme's petition, even if accepted as true, do not entitle him to any relief," the government said. Cardinale could not be reached for comment.

Salemme is currently serving 11 years after pleading guilty to racketeering and bribery charges.

As part of the plea, he has agreed to testify against former FBI agent John Connolly and Winter Hill gang leaders James "Whitey" Bulger and Flemmi.

--- INDEX REFERENCES ---

NAMED PERSON: DADDIECO, ROBERT; CARDINALE, ANTHONY

ORGANIZATION: FEDERAL BUREAU OF INVESTIGATION

NEWS SUBJECT: English language content; Crime and Courts; Political and General News; Crime (ENGL GCRIM GCAT CRM)

EDITION: ALL EDITIONS

Word Count: 371

3/24/01 BOSTONH 006

END OF DOCUMENT

1257

FD-302 (Rev. 4-15-64)

FEDERAL BUREAU OF INVESTIGATION

Date 2/8/68

11

JOSEPH BARON was contacted and a check was made on his physical well being.

No matters of any pertinence were discussed with him.

On 1/30/68 at Gloucester, Massachusetts File # Boston 92-1132

by SA's DENNIS M. CONDON and H. PAUL RICO
DWG:pe:b 3 Date dictated 2/5/68

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1258

FD-263 (Rev. 3-8-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BOSTON	DATE 1/30/68	INVESTIGATIVE PERIOD 11/30/67 - 1/23/68
TITLE OF CASE JOSEPH BARON, aka		REPORT MADE BY DENNIS M. CONDON	TYPED BY po b
		CHARACTER OF CASE AR	

REFERENCE: Report of SA DENNIS M. CONDON, dated 11/30/67,
at Boston.

- P -

LEADBOSTON

AT BOSTON, MASSACHUSETTS. Will maintain contact
with subject.

ACCOMPLISHMENTS CLAIMED					NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED		SPECIAL AGENT IN CHARGE		DO NOT WRITE IN SPACES BELOW			
COPIES MADE:		3-Bureau (92-9828) 1-USA, Boston, Mass. 2-Boston (92-1132)		92-9128-5		REC-23	
		1- d+d 1534		4 FEB 21 1968		EX-113	
Dissemination Record of Attached Report				Notations:			
Agency		CC. AAC, Criminal Division,		STAT-102			
Request Recd.		Organized Crime and Racketeering					
Date Fwd.		2527					
How Fwd.							
By	59	FEB 1 1968					

EXHIBIT
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BS 92-1132

ADMINISTRATIVE

This case has been re-opened to report results of contacts with JOSEPH BARON inasmuch as information obtained during some of these contacts had no bearing on the case entitled, "RAYMOND L. S. PATRIARCA, aka; HENRY TAMELEO, aka; RONALD CASSESSO, aka, ITAR-GAMBLING," Bosfile 166-629, where previous information obtained from BARON had been reported.

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COVER PAGE

FEDERAL BUREAU OF INVESTIGATION

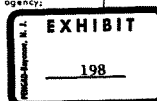
Date 2/9/681

JOSEPH BARON was contacted, and a check was made on his physical well being.

No matters of any pertinence were discussed with him.

On 2/2/68 at Gloucester, Massachusetts File # Boston 92-1132
by SA's DENNIS M. CONDON and H. PAUL RICO
DMC:po'b 4 2/8/68

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1261

FD-302 (Rev. 4-15-64)

FEDERAL BUREAU OF INVESTIGATION

Date 2/21/68

JOSEPH BARON was contacted, and a check was made on his physical well being.

No matters of any pertinence were discussed with him.

On 2/9/68 at Gloucester, Massachusetts File # Boston 92-1132
by SA's DENNIS M. CONDON and H. PAUL RICO
DMC:po'b 5 Date dictated 2/15/68

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FD-302 (Rev. 4-15-64)

FEDERAL BUREAU OF INVESTIGATION

2/28/68

Date

1

Assistant District Attorney JACK ZALKIND, attached to the Suffolk County District Attorney's Office, Boston, Massachusetts, reviewed with JOSEPH BARON the details relative to the murder of EDWARD DEEGAN, in preparation for trial in Suffolk County Superior Court.

On 2/19/68 at Gloucester, Massachusetts File # Boston 92-1132

by SA H. PAUL RICO; Sergeant Detective FRANK WALSH,
and Assistant District Attorney JACK ZALKIND.

HPR:po'b

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2/26/68

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